



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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App. No. : 09/690,353
Applicant : Collins et al.
Filed : October 16, 2000
T.C/A.U. : 1619
Examiner : D.L. Jones

Docket No. : 07959.105030
Customer No. : 20786

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 8, 2003

TERMINAL DISCLAIMER

Sir:

Assignees, The Mayo Foundation for Medical Education and The Regents of the University of Minnesota, the owners of entire interest of U.S. Serial No. 09/690,353, through the undersigned attorney of record, hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC §§ 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending other Application Numbers: 10/027,593 (filed October 25, 2001), 10/028,857 (filed October 25, 2001), 09/690,197 (filed October 16, 2000), and 09/690,198 (filed October 16, 2000), of any patent on the pending other applications.

The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the above-listed applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

The assignment of the priority document of the instant application was recorded at the Patent and Trademark Office at Reel 010921, Frame 0111, on June 7, 2000, and at Reel 010922, Frame 0120, on June 8, 2000.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154 and 173 of any patent granted on the other

applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Applicants enclose the fee of \$55.00 for filing this Terminal Disclaimer. Applicants believe this is the appropriate fee, however the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Madeline Johnston", written in dark ink.

Madeline I. Johnston, Esq.
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